

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JONATHAN M. MULLEN,

Plaintiff,

v.

BRACHEL,

Defendant.

Case No. 2:18-cv-11341

HONORABLE STEPHEN J. MURPHY, III

**ORDER TRANSFERRING CASE TO THE UNITED STATES
DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN**

Michigan state prisoner Jonathan M. Mullen filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983. The Court finds venue is proper in the Western District of Michigan and will transfer the case.

The proper venue for civil actions in which jurisdiction is not based on diversity of citizenship is the judicial district where: (1) any defendant resides if all defendants reside in the same state; (2) a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property in question is situated; or (3) any defendant may be found if there is no other district in which plaintiff may bring the action. See 28 U.S.C. § 1391(b). Public officials "reside" in the county where they serve. See *O'Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972). Additionally, a district court may transfer a civil action to any other district where it might have been brought for the convenience of the parties and witnesses, in the interest of justice. See 28 U.S.C. § 1404(a).

The conduct from which the complaint arises occurred in Charlevoix, Michigan, and the defendant is also located in Charlevoix. Charlevoix is located in Charlevoix

County, which is in the Western District of Michigan, Southern Division. See 28 U.S.C. § 102(b).

The United States District Court for the Western District of Michigan is the proper venue and more convenient forum for this action.

WHEREFORE, it is hereby **ORDERED** that the Clerk of the Court **TRANSFER** the case to the United States District Court for the Western District of Michigan.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: May 9, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 9, 2018, by electronic and/or ordinary mail.

s/ David Parker
Case Manager